

JC06 Rec'd PCT/PTO 30 SEP 2005

PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re United States Patent Application of:**

**Applicant:** Terness, et al.

**Application No.:** 10/524,168

**Date Filed:** February 7, 2005

**Title:** GPI ANCHORED  
GLYCOPROTEIN ACA AS A  
NOVEL TUMOR MARKER

**Docket No.:** 4121-176

**Examiner:** Unassigned

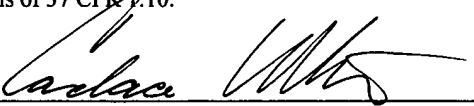
**Group Art Unit:** Unassigned

**Customer No:**

**23448**

**EXPRESS MAIL CERTIFICATE**

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 and Express Mailed under the provisions of 37 CFR 1.10.

  
Candace White

September 30, 2005  
Date

EO 006 032 580 US

Express Mail Label Number

10/06/2005 MKAYPAGH 00000141 10524168

01 FC:2617

65.00 0P

**RESPONSE TO AUGUST 1, 2005 NOTICE TO FILE MISSING PARTS  
IN U.S. PATENT APPLICATION NO. 10/524,168**

Mail Stop Missing Parts  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the August 1, 2005 Notice to File Missing Parts in the above-identified application, enclosed herewith are:

- ☒ a true and exact copy of the Declaration and Power of Attorney document ("Declaration").

- ☒ a Supplemental Preliminary Amendment;
- ☒ a paper copy of the sequence listing ("Sequence Listing—Paper");
- ☒ a computer readable copy of the sequence listing ("Sequence Listing—Diskette");
- ☒ a statement under 37 C.F.R. 1.821(f) ("Statement of Identity");
- ☒ a return copy of the August 1, 2005 Notice to File Missing Parts for this application; and
- ☒ a Credit Card Payment Form authorizing the amount of \$65.00 to be charged for payment of the Late Filing Fee.

Respectfully submitted,

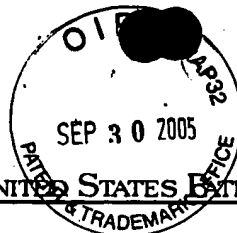


Marianne Fuierer  
Reg. No. 39,983  
Attorney for Applicants

INTELLECTUAL PROPERTY/  
TECHNOLOGY LAW  
P.O. Box 14329  
Research Triangle Park, NC 27709  
Phone: (919) 419-9350  
Fax: (919) 419-9354  
Attorney File: 4121-176

PCT

10-03-05



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,168	Peter Terness	4121-176

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/EP03/08711

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

08/06/2003

08/06/2002

Steven J. Hultquist  
 Intellectual Property/Technology Law  
 P.O. Box 14329  
 Research Triangle Park, NC 27709

AUG 5 2005

CONFIRMATION NO. 2833

371 FORMALITIES LETTER



\*OC000000016653780\*

Date Mailed: 08/01/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/07/2005
- Copy of the International Search Report filed on 02/07/2005
- Preliminary Amendments filed on 02/07/2005
- Information Disclosure Statements filed on 06/03/2005
- Oath or Declaration filed on 02/07/2005
- U.S. Basic National Fees filed on 02/07/2005
- Priority Documents filed on 02/07/2005
- Specification filed on 02/07/2005
- Claims filed on 02/07/2005
- Abstracts filed on 02/07/2005
- Drawings filed on 02/07/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Late oath or declaration Surcharge.**
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

20A 10/1/05  
/om

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYAL LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,168	PCT/EP03/08711	4121-176

FORM PCT/DO/EO/905 (371 Formalities Notice)